



Entered on Docket
November 02, 2009

A handwritten signature in black ink, appearing to read "Michael S. McManus".

Hon. Michael S. McManus
United States Bankruptcy Judge

WILDE & ASSOCIATES
Gregory L. Wilde, Esq.
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Wells Fargo Bank, N.A.
09-75450 / 0055681878

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Brian Daniel Rothe and Virginia Lee Rothe

Debtors.

BK-S-09-51602-gwz

MS Motion No.

Date:

Time:

Chapter 13

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the post-
 2 petition arrearages currently due as follows:

3 4 Monthly Payments at \$2,457.17	\$9,828.68
(June 1, 2009- September 1, 2009)	
4 3 Late Charges at \$104.41 each	\$ 313.23
(June 16, 2009-August 16, 2009)	
5 Attorney Fees	\$ 750.00
6 Motion Filing Fee	\$ 150.00
7 Total Arrearages	\$11,041.91

8 The above arrearages shall be paid in one (1) immediate payment of \$11,041.91 shall be due on or
 9 before date of execution of this order.

10 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
 11 Debtors at least five business days' notice of the time, place and date of sale.

12 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume and
 13 maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning
 14 with the October 1, 2009 payment, on Secured Creditor's Trust obligation, encumbering the subject
 15 Property, generally described as 10664 Eagle Falls Way , Reno, NV 89521, and legally described as
 16 follows:

17 LOT 113 OF "DOUBLE DIAMOND RANCH VILLAGE 19B, A PUINNED DEVELOPMENT
 18 ACCORDING THE MAP THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF
 19 WASHOE COUNTY STATE OF NEVADA, ON APRIL 3, 2003, AS FILE J~. 2831796, AND
 AS TRACT MAP NO. 4187.

20 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make any
 21 payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's
 22 Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon
 23 Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each
 24 such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be
 25 paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure
 26 the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to
 Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the

1 subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete
2 possession thereof.

3
4 Submitted by:

5 WILDE & ASSOCIATES

6
7 By 

8 **GREGORY L. WILDE, ESQ.**

9 Attorneys for Secured Creditor

208 South Jones Boulevard

Las Vegas, Nevada 89107

10 APPROVED AS TO FORM & CONTENT:

11 William Van Meter

12
13 By See Exhibit "A"

14 William Van Meter

15 Chapter 13 Trustee

P.O. Box 6630

16 Reno, NV 89513

Joe Laub (Reno)

17 By  (FV)

Joe Laub (Reno)

Attorney for Debtors

630 E. Plumb Ln.

Reno, NV 89502

18 Nevada Bar No. _____

Gena Gipson

From: Toby Herzinger [tobyc13@nvbell.net]
Sent: Wednesday, October 14, 2009 5:07 PM
To: 'Gena Gipson'
Subject: FW: Rothe 09-75450 / 09-51602-gwz

From: Mary Rivinius [mailto:maryc13@nvbell.net]
Sent: Wednesday, October 14, 2009 4:39 PM
To: 'Toby Herzinger'
Subject: RE: Rothe 09-75450 / 09-51602-gwz

Gena,

Mr. Van Meter doesn't sign the APO's or the Orders Lifting the Stay. Please submit without the Trustee's signature.

Thanks!

Mary

-----Original Message-----

From: Toby Herzinger [mailto:tobyc13@nvbell.net]
Sent: Wednesday, October 14, 2009 2:09 PM
To: maryc13@nvbell.net
Subject: FW: Rothe 09-75450 / 09-51602-gwz

Toby Herzinger
Assistant to William A. Van Meter
Chapter 13 Trustee - Reno, NV

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EXHIBIT

A

10/14/2009